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opportunities.

The Evening Herald

THAT dull rumbling
sound is the onward
march of old General
Prosperity.

GERMANY AGREES REPRISALS MUST NOT BE MADE ON ANY BUT ENEMIES

Expression Offered in Place of
Phrase Containing Word
"Illegal." Over Which Is
Controversy.

HOPE EXPRESSED SEAS MAY BE MADE FREE

No Occasion Seen for Waiting
Until Termination of War
to Open Waterways to
General Use.

**HOWE ACCUSED OF
KILLING A DETECTIVE**
Estancia, N. M., Feb. 7.—There are six charges of burglary and one of murder pending against Howe in Torrance county, and Sheriff Josiah Meyer, of Torrance county, New Mexico, has wanted in the western state on a murder charge.

It was stated that Germany has agreed that reprisals must not be directed against any other than enemy subjects. This expression is offered by Germany to take place of the phrase containing the word "illegal" which was incorporated in the draft of the Louisiana agreement now under consideration.

This statement is taken in high diplomatic circles to imply that the Berlin government sees no occasion to await the cessation of hostilities before settling that issue.

Furthermore, the government refers to the British blockade of Germany as being inhumane, calls attention to the fact that neutral vessels have been affected by the efforts of the British government to agree Germany, and puts forth the contention that the German retaliation in the war zone around the British Isles is justified by the actions of Great Britain. Claims that the reprisals are legal are not mentioned.

As has been previously stated, Germany says in the communication that the killing of citizens of the United States was without intent and that the method of conducting warfare in the war zone around the British Isles has been changed, or at least for the long standing friendship between the United States and Germany and because American lives were lost.

NO NEW DEMANDS MADE AFTER OPENING NEGOTIATIONS

Washington, Feb. 7.—Secretary Lansing today flatly denied that new demands had been made in the Lusitania case at a time when the German government considered the negotiations practically were at an end. He was speaking of the Berlin dispatches quoting the references by Dr. Zimmerman, German undersecretary of foreign affairs, to new demands. "This government," said Secretary Lansing, "has not increased the demands made in the Lusitania case as set forth in the note of May 1, May 3 and July 2. I do not know if Dr. Zimmerman ever made a statement that new demands had been rejected, because he must know that it is utterly false."

Secretary Lansing would not discuss Dr. Zimmerman's statement further. When Dr. Zimmerman's statement was published in this country, however, his reference to new demands was taken to apply to a possible construction on the word "illegal" in the proposed form of settlement. The only ground American officials could find for constructing that as employing a new demand was the possibility that it might be considered applicable not alone to the destruction of neutrals on the Lusitania but also as to the method by which she was sunk.

Secretary Lansing repeated that he expected to confer with President Wilson some time during the day.

He made it known that the department considered the situation unchanged. Chairman Stone of the foreign relations committee said after talking with administration officials that his impression was that the Lusitania case was "practically settled."

Secretary Lansing indicated that some announcement might be given out for publication within the next few days.

There was no indication whether the German had definitely decided whether Germany's latest proposal was satisfactory.

Administration officials let it be known that mere choice of words would not be permitted to stand in the way of success of the negotiations. The proposal now before President Wilson and Secretary Lansing is described in German quarters as constituting for the word "illegal" a phrase which Germany hopes will be acceptable to the United States as covering the same point without humiliating Germany.

The principal consideration of the United States now is that there shall be an acknowledgement by Germany that the sinking of an unresisting merchantman without warning is in contravention of international law and

ROBERT E. HOWE RELEASED ONLY TO BE ARRESTED

Man Accused of Death of Railroad Detective in Abo Canyon in 1911 Nabbed as He Leaves Texas Institution.

Sartaria, Tex., Feb. 7.—As Robert E. Howe stepped through the gate of the state farm here to freedom he was arrested by Sheriff Julius Meyer, of Torrance county, New Mexico. Howe is wanted in the western state on a murder charge.

HOWE ACCUSED OF KILLING A DETECTIVE

The advices were from General Quintana, who reported from Las Cruces west of the Santa Clara ranch that the cars were broken open and goods taken. J. A. McClure, of Albuquerque, a special agent of the railroad, was put on the case and is supposed to have learned that the cars were robbed while passing through Abo canyon, and it is said gathered some evidence which led him to suspect the Howes.

The method used, it is said, was to board the train as they pulled up the canyon at low speed, open the cars and throw out merchandise which later was collected.

McClure went to Abo canyon, at any rate, and that was the last heard of him. The Howes disappeared. Santa Fe officers and others knowing where McClure had last been seen and supposing where he had gone became anxious and search was commenced. McClure was found in a well over the Howes place.

Then began a chase such as has taken place but few times in the last half century in New Mexico. Officers followed the trail of the Howes from Abo canyon southward through the mountains, across Lincoln and Custer counties and cornered them in Texas near the border. A battle ensued, in which a Texas ranger, who was among the railroad detectives, members of the New Mexico mounted police and others in the pursuing party, was killed. Howe and the older son were killed, as was another officer.

Robert E. Howe was wounded seriously and was arrested. The Texas authorities claimed him and he was tried in that state, but it was impossible to prove he actually killed either or both of the officers and he was convicted on a lesser charge.

Today he was released, only to be arrested by Meyer, and he will be brought back here to face a charge of murdering McClure and accusations of breaking into freight cars.

ATLANTIC FLEET IS BOTH OVER-MANNED AND UNDER-MANNED

The message says nothing of the excess of men in other ratings, however," replied Admiral Blue.

Villa With Few Adherents Said To Be Holding Rocky Fastness

Official Communications Locate Bandit Chieftain With 25 Followers in Canyon on Santa Clara Ranch.

CAVALRY AT CHIHUAHUA TO JOIN IN MAN HUNT

Rumors Connect Outlaw With Arrangement Whereby Japan Was to Invade United States Through Mexico.

(By Evening Herald Leased Wire)

El Paso, Tex., Feb. 7.—General Francisco Villa, with about twenty-five men, is on the defensive in Nogales canyon of the Santa Clara ranch, according to official advice at the military headquarters of Juarez received today. The price is understood to be \$81, a share.

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The total outstanding Cambray Steel stock amounts to 450,000 shares and it is believed that the deal involved in the neighborhood of \$20,000,000.

The Midvale Steel and Ordnance company was at the time of its organization several months ago second only to the United States Steel corporation in point of size. The addition of the Cambray Steel company gives it control of extensive works at Johnson City, Pa., and iron properties in the Lake Superior district.

Rumors circulated here since the downfall of the Villa government in northern Mexico to the effect that General Francisco Villa had bargained with the Japanese government for an invasion of the United States by Japan through Mexico and the documentary evidence of the bargain had been found in the archives of the Villa officials left in Juarez were disclosed here today by Andrews G. Garcia, Garcia can consult in this city. The state department, it is understood, had been advised of the rumors.

The rumors concerned Mr. Garcia with the possession of the documents and attributed to him an intention to task the United States to arrest in San Francisco an envoe of the Villa government.

While he denied that he had any documental evidence bearing upon the alleged negotiations between the Villa organization and Japan, Garcia expressed considerable interest in the proposed return of an envoe sent to Japan by Villa.

FIVE OFFICIALS OF TERRE HAUTE GIVEN LIBERTY

Total of Nine Men Now Have Paid Law's Demand for Alleged Election Frauds in Indiana City.

(By Evening Herald Leased Wire)

Washington, Feb. 7.—When Rear Admiral Blue, chief of the bureau of navigation, told the house naval committee today that the Atlantic fleet went south for winter drills with an excess of nearly 200 men in its increased personnel, Representative Bingham produced a radiogram from Admiral Fletcher stating that the often-mentioned battleships were short nearly 1,000 men. The message said the ships lacked 510 coal passers, 67 machinists mates, 46 gunners mates, 42 boatswains' mates, 62 electricians, 60 yeomen and 44 ship's cooks.

The message says nothing of the excess of men in other ratings, however," replied Admiral Blue.

CHINESE GOVERNMENT REPORTS A SUCCESS

(By Evening Herald Leased Wire)

New Orleans, Feb. 7.—The Chinese government, world's bantamweight champion, will defend his title against Pete Herman of New Orleans in a twenty-round bout here tonight. The weight will be 118 pounds ramseside. Williams is favorite in the betting.

After directing that the suit be dismissed Judge Landis said:

"The motion for a preliminary injunction was presented to this court little more than a year ago. The whole structure of organized baseball was immediately plunged into litigation. Aside from the interest of baseball fans there were two sides to the controversy—organized baseball and so-called outlaw baseball."

One month's expert knowledge of baseball obtained by more than thirty years of observation of the game as a spectator convinced me that if an article had been written it would have been, if not descriptive, at least valuable to the game of baseball."

"No matter what decision had been made neither side would have emerged from court victorious. After taking counsel with my own attorney I decided that the court had the right or at least the discretion, to postpone decision in the case and this was done."

"I want to say that in all the preliminary evidence and the various arguments when the parties were over with a fine tooth comb, we find something injurious in the other side."

"Not the slightest evidence was presented to cause the most suspicious person to impugn the honor in the game or any of the individual players."

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I remain my dear Mr. Lansing.

"Sincerely yours,

J. BEENSTORFF."

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CAMBRIA STEEL COMPANY BOUGHT BY THE MIDVALE

New Corporation Exercises Option on Majority of Stock Held by Syndicate of Which Frick Is Member.

DEAL INVOLVES PAYMENT OF ABOUT \$20,000,000

New York, Feb. 7.—The newly organized Midvale Steel company has taken control of the Cambria Steel company, one of the largest independent steel concerns, has been purchased by the Midvale Steel and Ordnance company of Philadelphia. Announcement of this fact was made today by W. H. Donner, president of the Cambria company.

It was stated that William E. Cory, chairman of the Midvale company and his associates had taken over the option of the majority of the Cambria Steel stock held by William H. Donner, who represents a syndicate of which Henry C. Frick is a member.

The total outstanding Cambria Steel stock amounts to 450,000 shares and it is believed that the deal involved in the neighborhood of \$20,000,000.

The Midvale Steel and Ordnance company was at the time of its organization several months ago second only to the United States Steel corporation in point of size. The addition of the Cambria Steel company gives it control of extensive works at Johnson City, Pa., and iron properties in the Lake Superior district.

Colonel Hepburn, former member of congress from this district died here after a long illness.

Former Congressman From Iowa Who Wrote Famous Anti-rebate Measure Is Claimed by Death.

(By Evening Herald Leased Wire)

Charina, Iowa, Feb. 7.—Colonel Wm. P. Hepburn, former member of congress from this district died here after a long illness.

Death resulted from kidney and heart trouble. Colonel Hepburn was near death last November but after a time rallied and a few weeks ago was so much improved that he thought serous of returning to returning to Washington to look after an extensive law practice which he avoided after having convalesced.

About a week ago his condition took turn for the worse and since that time he has steadily.

Colonel Hepburn is a son and daughter survive him.

Colonel Hepburn, although twenty years in congress, became best known throughout the country during the Roosevelt administration. It was he who framed what later was called the Hepburn law, prohibiting rebates and discrimination in railroads.

He declared that if seventeen guns were being played on foreign ships the United States should have them as well, or the best guns attainable now or hereafter.

The speaker knows," said Representative Luther, Republican, of the naval committee, "that if we want things better in the navy we have to pay the price demanded."

"If we will begin to build and take the money and push aside private construction," Mr. Luther said, "we may build twenty-two ships in two years and put them to sea if we can find the men for them."

"Do not the English build a battleship much more quickly than we do?" asked the speaker.

"Yes," replied Representative Gardner.

"But not so much more quickly as is usually thought."

"We are not building ships if necessary, and will help raise the money," interrupted Representative Huff of Connecticut, Republican. He added, however, that before he voted to spend \$600,000 to equip Mare Island navy yard for shipbuilding and add to the equipment of the navy, he was author of a bill which the then President Roosevelt declared would cause Congress to be memorandum in history because of its constructive legislation. Of the five acts, four came from Col. Hepburn's committee and three of them—the Hepburn law, the pure food and the public health act—were framed by Col. Hepburn himself.

Col. Hepburn represented the Eighth Iowa district. He was a product of the early pioneer days in Iowa and grew what little schooling he had in three winters at an academy near Iowa City. He was born in Columbian, county, O., November 4, 1858, removed to Iowa City when his mother and his step-father took up their residence on a farm when he was eight years of age. After a brief experience in the schools the community afforded he got employment in a printing office where he worked for four years. Later he read law at Iowa City and Chicago, being admitted to the Illinois bar in 1885. He returned to Iowa in 1886, married Miss Melvina A. Morrison of Iowa City and settled at Marshalltown.

When the civil war broke out Col. Hepburn organized a company and became its captain. This company went to the front in February, 1862, as part of the Second Iowa cavalry. He was soon advanced to the rank of major and in that position served distinction at the battle of Corinth. Not long afterwards he was placed on the staff of General Sheridan, and in December of the same year became lieutenant colonel and was elected to command of the Second brigade cavalry division, Sixteenth army corps. He was later transferred to other commands and served until the close of the war.

In 1868 Col. Hepburn moved to Charina, Ia., which had been his home, except for a part of the time when he had resided in Washington, D. C. He was elected to congress in 1880 and twice successively thereafter. During the Harrison administration he was solicitor of the treasury department, which position he retained March 4, 1893, to again enter congress for his old district. He was an unsuccessful candidate for United States senator in 1888.

Colonel Hepburn was thirteen times the number of his party in the Eighth Iowa district, his first contest in 1880 being the most remarkable. The convention was held at Council Bluffs and Congressman Sappington had received fifty-four votes—three less than a majority—but without division 584 times. After a three days' session the convention took a recess of four days. Its second session covered two days and Col. Hepburn was nominated on the 35th ballot, receiving 572-vote votes. His twelve subsequent nominations were practically unanimous. Two of them were by acclamation. During his career in congress which ended March 4, 1899, Col. Hepburn supported every measure that became law, looking to the control of commerce carrying many of these bills were introduced by him.

The resolution would transfer \$100,000,000 of the money already appropriated for dreadnaughts numbers 13 and 14 for the extension work at the yards. Its purpose was specially asked by Secretary Daniels who pointed out the limited capacity of American shipbuilding yards for constructing dreadnaughts and said that if the naval increases contemplated by the administration's preparedness program were to be carried out it would be necessary to increase the capacity of the government yards.

The government yards had a million dollars under private proposals for dreadnaughts 13 and 14. The \$100,000,000 will equip Mare Island for the work and will give the government two major construction yards the other in New York. The navy department plans soon to add the Puget Sound, Norfolk and Philadelphia yards to the list.

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